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**To:** Hon. Commissioner for Patents      **From:** John W. Mahoney  
**Fax:** (571) 273-8300      **Pages:** 3 plus cover  
**Phone:**      **Date:** 2/13/2006  
**Re:** Response to Restriction Requirement      **CC:** Application Number 10/826,809

**Urgent**     **AS REQUESTED**     **Please Comment**     **Please Reply**     **Please Recycle**

● **Comments:**

Dear Hon. Commissioner,

The following is a response to a Restriction Requirement dated 1/13/06, regarding application Number 10/826,809.

Please call me at (510) 705-7725, or by e-mail at : [John.Mahoney.b@Bayer.com](mailto:John.Mahoney.b@Bayer.com) if there are any questions regarding this matter.

Kind Regards,

*John W. Mahoney*  
John W. Mahoney

Reg. No. 44,892

*13 February 2006*

Application No. 10/826809  
Response to Restriction Requirement

Attorney Docket No. MSB-7273

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In Re Application of: Shanafelt, et al.

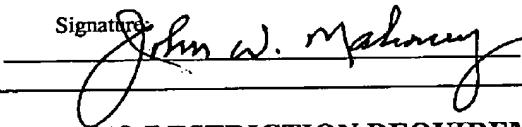
Group Art Unit: 1646

Serial Number: 10/826,809

Examiner: Mertz, Prema Maria

Filed: 04/17/04

Title: IL-2 Selective Agonists and Antagonists

CERTIFICATE OF Transmission under 37 C.F.R. 1.8(a)	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark (FAX No. (571) 273-8300)	
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John W. Mahoney, Reg. No. 44,892	
Signature:	

**RESPONSE TO RESTRICTION REQUIREMENT**

**UNDER 35 USC 121**

and

**AMENDMENT UNDER 37 CFR §1.111**

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Office Action dated 01/13/2006. Applicants hereby elect to prosecute those claims within Group II that are drawn to a nucleic acid molecule encoding a IL-2 mutein, a vector, and a host cell, classified in class 435, subclass 69.52.

**Amendments IN THE CLAIMS** begin on page 2 of this paper.

**Remarks** begin on page 14 of this paper.